

401 KAR 11:030. Wastewater treatment and collection system operators; classification and qualifications.

RELATES TO: KRS 224.73-110

STATUTORY AUTHORITY: KRS 224.10-100, 224.10-110, 224.73-110

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.73-110 requires a person operating a public or private sewage system to possess necessary skills, pass an examination, and hold a certificate issued by the cabinet unless the person is operating a sewage system located at the residence where the person lives and the sewage system serves only one (1) residence. KRS 224.10-110 requires the cabinet to establish programs and enforce cabinet administrative regulations for the certification of sewage system operators. This administrative regulation establishes classifications and qualifications for wastewater treatment and collection operator certifications.

Section 1. Classification of Wastewater Operator Certifications. (1) Wastewater treatment certifications.

(a) Limited certification. An operator issued a limited certificate may have primary responsibility for a school wastewater treatment plant and collection system as established in KRS 224.73-110(5).

(b) Class I Treatment certification. A Class I treatment operator:

1. May have primary responsibility for a wastewater treatment plant with a design capacity less than or equal to 50,000 gallons per day; and
2. Shall not have primary responsibility for a wastewater treatment plant with a larger design capacity as established in 401 KAR 5:010.

(c) Class II Treatment certification. A Class II Treatment operator:

1. May have primary responsibility for a wastewater treatment plant with a design capacity less than or equal to two (2) million gallons per day; and
2. Shall not have primary responsibility for a wastewater treatment plant with a larger design capacity as established in 401 KAR 5:010.

(d) Class III Treatment certification. A Class III Treatment operator:

1. May have primary responsibility for a wastewater treatment plant with a design capacity less than or equal to seven and one-half (7 1/2) million gallons per day; and
2. Shall not have primary responsibility for a wastewater treatment plant with a larger design capacity as established in 401 KAR 5:010.

(e) Class IV Treatment certification. A Class IV Treatment operator may have primary responsibility for a wastewater treatment plant of any design capacity.

(2) Wastewater collection certifications.

(a) Class I Collection certification. A Class I Collection operator:

1. May have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a design capacity of less than or equal to 50,000 gallons per day; and
2. Shall not have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a larger design capacity as established in 401 KAR 5:010.

(b) Class II Collection certification. A Class II Collection operator:

1. May have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a design capacity of less than or equal to two (2) million gallons per day; and
2. Shall not have primary responsibility for a wastewater collection system that transports

wastewater to a treatment plant with a larger design capacity as established in 401 KAR 5:010.

(c) Class III Collection certification. A Class III Collection operator:

1. May have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a design capacity of less than or equal to seven and one-half (7 1/2) million gallons per day; and

2. Shall not have primary responsibility for a wastewater collection system that transports wastewater to a treatment plant with a larger design capacity as established in 401 KAR 5:010.

(d) Class IV Collection certification. A Class IV Collection operator may have primary responsibility for any wastewater collection system.

(3) Operator in Training designations.

(a) A certified operator with an Operator in Training designation shall not have primary responsibility of a wastewater treatment plant or wastewater collection system as established in this subsection and in 401 KAR 5:010.

(b) A Class I Operator In Training shall not have primary responsibility of a wastewater treatment plant or wastewater collection system.

(c) A certified operator with an Operator in Training designation shall work under the direct supervision of a certified operator who:

1. Works at the same facility; and

2. Has obtained a certification level that is equal to or greater than the certification level required to serve in primary responsibility of the facility.

(d) An Operator In Training may have primary responsibility for a wastewater collection system or wastewater treatment plant for which the operator has obtained Class II through Class IV certification required by this section.

Section 2. Wastewater Operator Qualifications: Experience, Education, and Equivalencies. An individual desiring to become a certified operator shall meet the minimum education and experience requirements established in this section prior to the cabinet approving the individual to take a certification examination as established in 401 KAR 11:050. (1) The minimum education and experience requirement for each class of wastewater treatment certification shall be as established in this subsection.

(a) Limited certification. The cabinet shall issue a limited certificate as established in KRS 223.73-110(5) if the applicant demonstrates the knowledge and experience required to properly operate the particular sewage system for which the applicant shall be responsible.

(b) Class I Treatment certification.

1. A high school diploma or general education development (GED) certificate; and

2. One (1) year of operation of a wastewater treatment plant.

(c) Class II Treatment certification.

1. A high school diploma or general education development (GED) certificate; and

2. Two (2) years of operation of a wastewater treatment plant.

(d) Class III Treatment certification.

1. A high school diploma or general education development (GED) certificate; and

2. Three (3) years of operation of a wastewater treatment plant with one (1) year of that experience in a wastewater treatment plant with a design capacity greater than 50,000 gallons per day.

(e) Class IV Treatment certification.

1. A baccalaureate degree from a regionally accredited college or university in engineering, or biological, environmental, physical, or chemical science, or equivalent; and

2. At least three (3) years of operation of a wastewater treatment plant.

a. Two (2) years of the required experience shall be in a wastewater treatment plant with a design capacity greater than two (2) million gallons per day; and

b. At least one (1) year of primary responsibility shall be in a wastewater treatment plant with a design capacity greater than two (2) million gallons per day.

(2) The minimum educational and experience requirements for wastewater collection certifications shall be as established in this subsection.

(a) Class I Collection certification.

1. A high school diploma or general education development (GED) certificate; and

2. One (1) year of operation of a wastewater collection system.

(b) Class II Collection certification.

1. A high school diploma or general education development (GED) certificate; and

2. Two (2) years of operation of a wastewater collection system.

(c) Class III Collection certification.

1. A high school diploma or general education development (GED) certificate; and

2. Three (3) years of operation of a wastewater collection system with one (1) year of that experience in a wastewater collection system that transports wastewater to a treatment plant with a design capacity of greater than 50,000 gallons per day.

(d) Class IV Collection certification.

1. A baccalaureate degree from a regionally accredited college or university in engineering, or biological, environmental, physical, or chemical science; or equivalent; and

2. At least three (3) years of operation of a wastewater collection system. At least two (2) years of the required experience shall be in a wastewater collection system that transports wastewater to a treatment plant with a design capacity of greater than two (2) million gallons per day.

(3) Operator in Training designations.

(a) Class I Treatment and Class I Collection certifications.

1. A high school diploma or general education development (GED) certificate; and

2. Experience shall not be required.

(b) All other applicants for the classifications identified in Section 1(1) and (2) of this administrative regulation:

1. Shall have successfully qualified for and passed the certification exam of the same type classification at one (1) level lower than the Operator in Training designation being pursued; and

2. Shall not have been subject to disciplinary action as established in 401 KAR 11:050.

(4) Substitutions. The cabinet shall allow substitutions as established in this subsection for education and experience requirements established in subsections (1) and (2) of this section.

(a) Education from a regionally accredited college or university in engineering or biological, environmental, physical, or chemical science or equivalent shall be substituted if the substitution does not exceed fifty (50) percent of the required experience.

1. An associate degree may substitute for two (2) years of experience.

2. A baccalaureate degree may substitute for four (4) years of experience.

3. Ten (10) contact hours, one (1) Continuing Education Unit, or one (1) postsecondary education quarter hour in any subject with a grade of C or higher shall substitute for 0.022 years of experience.

4. One (1) postsecondary education semester hour in any subject with a passing grade of C or higher shall substitute for 0.033 years of experience.

(b) Education from a regionally accredited college or university that did not result in a degree in engineering or biological, environmental, physical, or chemical science may be substituted.

tuted if the substitution does not exceed twenty-five (25) percent of the required experience.

1. An associate degree may substitute for a maximum of one (1) year of experience.

2. A baccalaureate degree may substitute for a maximum of two (2) years of experience.

3. Ten (10) contact hours, one (1) Continuing Education Unit, or one (1) postsecondary education quarter hour in any subject with a passing grade of C or higher shall substitute for 0.011 years of experience.

4. One (1) postsecondary education semester hour in any subject with a passing grade of C or higher shall substitute for 0.016 years of experience.

5. Ten (10) contact hours, one (1) Continuing Education Unit, or one (1) postsecondary education quarter hour in engineering, mathematics or biological, environmental, physical, or chemical science with a passing grade of C or higher shall substitute for 0.022 years of experience.

6. One (1) postsecondary education semester hour in engineering, mathematics or biological, environmental, physical, or chemical science with a passing grade of C or higher shall substitute for 0.033 years of experience.

(c) Education applied to the experience requirements established in subsections (1) and (2) of this section shall not be applied to the education requirement.

(d) Treatment and collection experience may be substituted for the educational requirement as established in this paragraph.

1. One (1) year of operational experience at a treatment plant may substitute for one (1) year of education.

2. One (1) year of collection system experience may substitute for one (1) year of education.

3. a. The cabinet may allow partial substitution of the education requirement with experience in:

(i) Maintenance;

(ii) Laboratory analysis; or

(iii) Other work related to the collection, treatment, or distribution of drinking water or wastewater.

b. To establish the amount of experience that shall be accepted, the cabinet shall determine the degree of:

(i) Technical knowledge needed to perform the work; and

(ii) Responsibility the applicant had in the operation of the system.

4. Experience applied to the education requirement established in subsections (1) and (2) of this section shall not be applied to the experience requirement.

(e) Collection system, treatment, and distribution experience may be substituted as established in this paragraph.

1. Four (4) years of collection system experience may be considered equivalent to one (1) year of treatment experience.

2. One (1) year of treatment experience may be considered equivalent to one (1) year of collection system experience.

3. One (1) year of distribution system experience as established in 401 KAR 11:040 may substitute for one (1) year of collection experience.

4. Substitutions under this paragraph shall not account for more than fifty (50) percent of the experience requirement.

(f) Experience that is not related to water collection, treatment, or distribution may be substituted as established in this paragraph.

1. Two (2) years of experience in laboratory analysis may be considered equivalent to one (1) year of treatment experience or six (6) months of collection experience.

2. Two (2) years of experience in the construction trades, construction management, engineering, plumbing, or electronics may be considered equivalent to one (1) year of collection experience or six (6) months of treatment experience.

3. Work experience in an area or specialty unrelated to those established in this paragraph may be substituted for up to six (6) months of collection or treatment experience.

4. To establish the amount of experience that shall be accepted, the cabinet shall determine the degree of:

- a. Technical knowledge needed to perform the work; and
- b. Responsibility the applicant had in performing the work.

5. Substitutions under this paragraph shall not account for more than fifty (50) percent of the experience required by this administrative regulation.

(5) Apprenticeships. An applicant who completes a state-approved treatment or collection apprenticeship program as established in 401 KAR 11:050 may be eligible for treatment or collection certification if the applicant also achieves a passing score of seventy (70) percent or above on a cabinet-administered examination.

(6) Equivalency. An operator who has received wastewater operator certification in a state, territory, or possession of the United States may be given an equivalent certification in Kentucky based on the:

- (a) Level of certification obtained in the state, territory, or possession of the United States;
- (b) Number of years of wastewater operator experience obtained while holding valid certification from another state, territory, or possession of the United States; and
- (c) Type, size, and capacity of the wastewater plant or plants at which the certified operator obtained experience.

(7) Reciprocity. The cabinet may establish a reciprocal agreement for operator certification with any other state, territory, or possession of the United States if the cabinet determines that operator certification requirements of the other state, territory, or possession of the United States are at least as stringent as those established in this administrative regulation. (35 Ky.R. 476; 1213; eff. 3-6-2009; 36 Ky.R. 454; 1052; 1456; eff. 2-5-2010; 36 Ky.R. 2105-A; 37 Ky.R. 51; eff. 8-5-2010; Crt eff. 11-1-2018; 45 Ky.R. 3524; 46 Ky.R. 954, 1114; eff. 11-1-2019.)